

Approved: \_\_\_\_\_ Mayor

Veto: \_\_\_\_\_

Override: \_\_\_\_\_

**RESOLUTION NO. Z-18-05**

WHEREAS, **ANTONIO SANCHEZ** applied to Community Zoning Appeals Board 8  
for the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre  
(1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the  
gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5"  
(15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements  
where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs  
required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential  
district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of  
requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c)  
(Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of  
Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets.  
Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 4 – 9, ELIZABETH PARK AMENDED, Plat book 4, Page 195.

LOCATION: Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-  
Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 8 was advertised  
and held, as required by law, and all interested parties concerned in the matter were given

an opportunity to be heard, at which time the applicant requested permission to withdraw the request to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 8 that requested district boundary change to BU-3 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requests to permit used auto/truck sales with a lot area of 0.77 acre (Item #2), to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), to permit a landscape greenbelt varying from 5' to 7'5" (Item #4), to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east (Item #5), to permit 0 shrubs along the right-of-way (Item #6), to permit a landscape open space of 18% (Item #7), and to permit an auto repair facility spaced 29' from a residential district (Item #8) and said application was denied by Resolution No. CZAB8-25-04, and

*WHEREAS, ANTONIO SANCHEZ* appealed the decision of Community Zoning Appeals Board 8 to the Board of County Commissioners for the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).

- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 4 – 9, ELIZABETH PARK AMENDED, Plat book 4, Page 195.

LOCATION: Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

*WHEREAS*, after reviewing the record and decision of Community Zoning Appeals Board 8 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board that the grounds and reasons made by Community Zoning Appeals Board 8 in Resolution No. CZAB8-25-04 were insufficient to merit a reversal of the decision, and the appeal should be denied and the decision of Community Zoning Appeals Board 8 should be sustained, and

*WHEREAS*, a motion to deny the appeal and sustain the decision of Community Zoning Appeals Board 8 was offered by Commissioner Dorrin D. Rolle, seconded by Commissioner Katy Sorenson, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	aye	Dennis C. Moss	aye
Dr. Barbara M. Carey-Shuler	aye	Dorrin D. Rolle	aye
Jose "Pepe" Diaz	aye	Natacha Seijas	aye
Carlos A. Gimmenez	aye	Katy Sorenson	aye
Sally A. Heyman	aye	Rebecca Sosa	absent
Barbara J. Jordan	aye	Sen. Javier D. Souto	absent

Chairperson Joe A. Martinez aye

*NOW THEREFORE BE IT RESOLVED* by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby denied without prejudice and the decision of Community Zoning Appeals Board 8 is sustained.

*BE IT FURTHER RESOLVED* that Resolution No. CZAB8-25-04 remains in full force and effect.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

***THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED*** this 6<sup>th</sup> day of October, 2005, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 04-11-CZ8-1  
ej

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

By MAY SULLIVAN  
Deputy Clerk

**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 19<sup>TH</sup> DAY OF OCTOBER, 2005.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

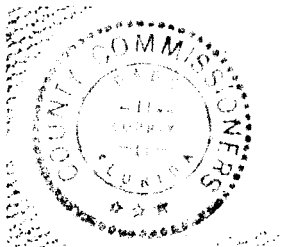
I, Deputy Clerk's Name, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-18-05 adopted by said Board of County Commissioners at its meeting held on the 6<sup>th</sup> day of October, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 19<sup>th</sup> day of October, 2005.



\_\_\_\_\_  
Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

**SEAL**





**Department of Planning and Zoning**

Stephen P. Clark Center  
111 NW 1st Street • Suite 1210  
Miami, Florida 33128-1902  
T 305-375-2800

**miamidade.gov**

ADA Coordination

Agenda Coordination

Animal Services

Art in Public Places

Audit and Management Services

Aviation

Building

Building Code Compliance

Business Development

Capital Improvements Construction Coordination

Citizens' Independent Transportation Trust

Commission on Ethics and Public Trust

Communications

Community Action Agency

Community & Economic Development

Community Relations

Consumer Services

Corrections & Rehabilitation

Cultural Affairs

Elections

Emergency Management

Employee Relations

Empowerment Trust

Enterprise Technology Services

Environmental Resources Management

Fair Employment Practices

Finance

Fire Rescue

General Services Administration

Historic Preservation

Homeless Trust

Housing Agency

Housing Finance Authority

Human Services

Independent Review Panel

International Trade Consortium

Juvenile Assessment Center

Medical Examiner

Metro-Miami Action Plan

Metropolitan Planning Organization

Park and Recreation

**Planning and Zoning**

Police

Procurement Management

Property Appraiser

Public Library System

Public Works

Safe Neighborhood Parks

Seaport

Solid Waste Management

Strategic Business Management

Team Metro

Transit

Task Force on Urban Economic Revitalization

Vizcaya Museum And Gardens

Water & Sewer

October 19, 2005

Antonio Sanchez  
c/o Forrest Sygman  
8603 S. Dixie Highway  
Miami, Florida 33143

Re: Hearing No. 04-11-CZ8-1  
Location: Lying on the east side of N.W. 27  
Avenue & south of N.W. 66 Street,  
Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. Z-18-05, adopted by the Board of County Commissioners, which denied your application without prejudice.

Be advised that the decision of the Board may be appealed to Circuit Court within 30 days of the date of the transmittal of the resolution to the Clerk of the County Commission. The date of transmittal is **October 19, 2005**.

Copies of any court filings concerning this matter should be served upon both my office and:

Robert A. Ginsburg, County Attorney  
111 N.W. 1st Street, Suite 2810  
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

Earl Jones  
Deputy Clerk

Enclosure